

REGULAR COUNCIL MEETING AND PUBLIC HEARING
CITY OF CROSSLAKE
MONDAY, MARCH 14, 2005
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, March 14, 2005. The following Council Members were present: Mayor Jay Andolshek, Terry Curtis and Dean Swanson. Absent was Dean Eggena and Dick Phillips. Also present was City Administrator Thomas N. Swenson, Community Development Director Ken Anderson, City Attorney Kirk Adams, City Engineer Mark Hallan, Park and Recreation Director Jon Henke, Police Chief Bob Hartman, Network Engineer Paul Davis, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Brian Clapper. There were approximately 7 citizens in the audience.

A. CALL TO ORDER- Mayor Andolshek called the meeting to order at 7:00 P.M. MOTION 03R-01-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO APPROVE THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES – Linda Walker was present to request a variance to the Cemetery Regulations to allow a monument at Pinewood Cemetery for her daughter, Dru Sjodin, which would exceed the height requirement by 4 inches. Jeff Kreitz has been commissioned to sculpt a metal tree which would be situated on the gravesite. MOTION 03R-02-05 WAS MADE BY TERRY CURTIS AND SECONDED BY JAY ANDOLSHEK TO APPROVE A VARIANCE AT PINWOOD CEMETERY FOR LINDA WALKER. Councilmember Swanson stated that his concern was not with the monument that was proposed but with the height stipulated in the City's Rules and Regulations for the Cemetery. It was his recommendation that the rules be reviewed by someone in the industry. Linda Walker addressed the Council and stated that the sculpture would meet the width requirements but a variance of 4" in the height was being requested. Councilmember Curtis stated that he would be inclined to approve the variance since the 36 inches proposed by Ms. Walker would certainly not be the highest monument situated in the cemetery. Curtis also felt that a review of the rules and regulations may take a considerable period of time. Councilmember Swanson stated that he agreed the review would take some time but wanted Staff to look at the issue and come back to the Council with recommendations. MOTION CARRIED WITH ALL AYES.

C. CONSENT CALENDAR - MOTION 3R-03-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1.) MINUTES OF SPECIAL COUNCIL MEETING OF FEBRUARY 14, 2005; (2.) MINUTES OF REGULAR COUNCIL MEETING OF FEBRUARY 14, 2005; (3.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INVESTMENT/CASH SUMMARY DATED JANUARY, 2005; (4.) CITY MONTH END REVENUE REPORT

DATED JANUARY 31, 2005; AND (5.) CITY MONTH END EXPENDITURE REPORT DATED JANUARY 31, 2005. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – None

E. MAYOR'S REPORT – Mayor Andolshek noted that a public hearing is scheduled for 8:00 P.M. to take public comments on a proposed moratorium on the establishment of pawn brokers/pawn shops, tattoo shops, body piercing parlors, currency exchange businesses and second hand stores.

F. CITY ADMINISTRATOR REPORT –

1. City Bills for Approval – MOTION 03R-04-05 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO APPROVE THE PAYMENT OF BILLS AS SUBMITTED IN THE AMOUNTS OF \$100,623.78 AND \$3,690.80. MOTION CARRIED WITH ALL AYES.
2. Payment of Crosslake Communication's Bills – MOTION 03R-05-05 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY TERRY CURTIS TO RETROACTIVELY APPROVE THE BILLS FOR PAYMENT FOR CROSSLAKE COMMUNICATIONS AS PRESENTED IN THE AMOUNT OF \$123,999.66. MOTION CARRIED WITH ALL AYES.
3. League of Minnesota Cities Insurance Trust – The City Council needed to determine whether or not to waive the statutory tort liability limits on the cities insurance to the extent of the coverage purchased from the League of Minnesota Cities Insurance Trust. City Administrator Swenson recommended that the City not waive their rights to monetary limits. City Attorney Kirk Adams agreed that the City should not limit their amount of recovery rights. MOTION 03R-06-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO AUTHORIZE THE CITY ADMINISTRATOR SIGNING THE WAIVER FORM INDICATING THAT THE CITY DOES NOT WISH TO WAIVE THEIR LIABILITY COVERAGE LIMITS FROM THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST. MOTION CARRIED WITH ALL AYES.
4. A letter dated February 28, 2005 from City Attorney Paul Sandelin informed the Council that as part of the State Liquor Statute, in the 2003 legislative session, restaurants were excluded from the intoxicating liquor license limits. This change would be subject to any local liquor ordinance which establishes the number of licenses allowed.
5. A letter dated February 14, 2005 from the League of Minnesota Cities included a task force report titled "A Principled Approach to Financing City Government" and was included for Council information.

6. A letter dated February 17, 2005 from the League of Minnesota Cities provided an update on the investigation of a CFO of Berkley Risk Administrators, who was charged with misappropriation of funds. The initial investigation shows that LMCIT funds have not been affected. This information was included for Council information.
7. A memo dated February 15, 2005 from the Crow Wing County Land Commissioner informed the City that a timber auction would be held on March 11th affecting 102 acres of land within the City of Crosslake.
8. A memo dated February 15, 2005 informed the City that Justin Bolz-Andolshek of the City of Pequot Lakes has been nominated to serve as a representative to Region 5 which includes the City of Crosslake.
9. A letter dated February 22, 2005 from Sheila Wasnie Haverkamp included a copy of BLADC's audited financial statements for fiscal year ending September 30, 2004. The audit is on file at City Hall.
10. A memo dated February 23, 2005 from Sheila Wasnie Haverkamp included the BLADC Project Activity Reports for October, November and December 2004 and was included for Council information.
11. Lakes State Bank Pledge Update dated February 28, 2005 was included for Council information.
12. Lakewood Bank Pledge Update dated February 2005 was included for Council information along with a copy of the Irrevocable Standby Letter of Credit No. 2502-7 which has been issued to the City in the amount of \$300,000. This is in addition to the \$700,000 Surety Bond provided as collateral.
13. Northern National Bank Pledge Update dated February 28, 2005 was included for Council information.

G. COMMISSION REPORTS –

1. PUBLIC SAFETY –

- a. Chief Hartman reported 109 calls in Crosslake in February.
- b. Chief Hartman reported 21 calls in Mission Township in February.
- c. A letter dated February 17, 2005 from City Attorney Sandelin informed the City that Crow Wing County's Precursor Methamphetamine Drug Ordinance includes businesses located within the City of Crosslake and no separate action is necessary by the City at this time. If businesses don't adhere to the ordinance they will be charged with a misdemeanor.
- d. A memo dated March 14, 2005 from Chief Hartman requested Council approval on a Criminal Justice Information System and National Crime Information Center Agreement between Crow Wing County Sheriff's

Department and the Crosslake Police Department. Approval of this agreement would allow Crow Wing County to continue their emergency dispatching for Crosslake. This agreement does not change the way dispatching is currently handled, it merely formalizes the agreement between the two entities. MOTION 03R-07-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO AUTHORIZE CHIEF HARTMAN AND MAYOR ANDOLSHEK SIGNING THE CRIMINAL JUSTICE INFORMATION SYSTEM AND NATIONAL CRIME INFORMATION CENTER AGREEMENT BETWEEN THE CROW WING COUNTY SHERIFF'S DEPARTMENT AND THE CROSSLAKE POLICE DEPARTMENT. MOTION CARRIED WITH ALL AYES.

- e. Approval of a resolution authorizing Anthony Runde to participate in the PERA Police and Fire Plan as a part-time officer was requested. MOTION 03R-08-05 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 05-03 AUTHORIZING PARTICIPATION IN THE PERA POLICE AND FIRE PLAN FOR ANTHONY RUNDE. MOTION CARRIED WITH ALL AYES.
- f. A memo dated March 10, 2005 from Chief Hartman requested Council approval of the 2005-2006 Law Enforcement Contract and Joint Powers Agreement between Crosslake and Mission Township. The cost of \$42,000 payable in four increments was the amount approved by the Council during the budget cycle. MOTION 03R-09-05 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR EXECUTING THE 2005-2006 LAW ENFORCEMENT CONTRACT AND JOINT POWERS AGREEMENT BETWEEN CROSSLAKE AND MISSION TOWNSHIP ON BEHALF OF THE CITY. MOTION CARRIED WITH ALL AYES.
- g. Fire Chief Keith Anderson presented the fire report which showed that the Fire Department responded to two medical calls and four fire calls in February. One of the medical calls was a recovery with the rescue sled.
- h. A memo dated March 9, 2005 from City Administrator Swenson recommended approval of three fire contracts for the period of April 1, 2005 through March 31, 2006. The City contracts with the City of Manhattan Beach and the Townships of Timothy and Fairfield to provide fire protection with the cost based on a percentage of tax capacity. The cost of the current contract will be \$7,291.14 to Manhattan Beach, \$9,351.91 to Timothy Township for 12 sections and \$5,042.82 to Fairfield Township for 2 sections. MOTION 03R-10-05 WAS MADE BY TERRY CURTIS AND SECONDED BY DEAN SWANSON TO APPROVE PROCEEDING WITH THE 2005 FIRE SERVICE CONTRACTS WITH MANHATTAN BEACH AND THE TOWNSHIPS OF TIMOTHY AND FAIRFIELD WITH THE COSTS NOTED. MOTION CARRIED WITH ALL AYES. City Administrator Swenson read a letter dated March 10, 2005 from Timothy Township Clerk Bunny Geiger informing the City of a one-year

notice to terminate the fire service contract. The Township will be contracting with Ideal Township who is constructing a satellite office in Timothy Township along County Roads #1 and #134.

- i. A memo dated March 8, 2005 from City Administrator Swenson and Clerk/Treasurer Roach recommended Council approval on financing for the 2005 Pumper Tanker Truck. Quotes were received from Leasing 2 and Baystone Financial Group, who both specialize in financing fire equipment. The chassis was delivered to Custom Fire Apparatus in February and the City paid \$78,650 from reserves at that time leaving a balance of \$128,750 to be financed. MOTION 03R-11-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO APPROVE THE FINANCING OF THE 2005 PUMPER TANKER TRUCK FROM LEASING 2 AT A RATE OF 4.86% WITH ANNUAL PAYMENTS OF \$16,341.93 BEGINNING FEBRUARY 1, 2006 BY WAY OF RESOLUTION NO. 05-04 RESOLUTION OF GOVERNING BODY EXTRACT OF MINUTES. Councilmember Curtis asked if the City had budgeted anything in the 2005 budget for the truck and City Administrator Swenson stated that the budgeted amount plus reserves was used to pay for the chassis. MOTION CARRIED WITH ALL AYES.
- j. The January, 2005 North Ambulance Report showed 47 callouts and was included for Council information.
- k. The February, 2005 North Ambulance Report showed 38 callouts and was included for Council information.
- l. The 2004 Year End Summary for North Ambulance was included for Council information.
- m. A bar graph showing total callouts for North Ambulance for 1990 through 2004 was included for Council information.

2. PARK AND RECREATION –

- a. Park and Recreation Director Jon Henke reminded the public that the Community Center gym is reserved each weekday morning between 8:00 – 9:00 A.M. for walkers and talkers. The second aerobic session of 2005 will begin on March 14th and continue for six weeks. The cost for a membership to the class is \$39.00. Approval to contract with Donna Keiffer for this aerobic instruction at a cost of \$396.72 for the six week class was requested. MOTION 03R-12-05 WAS MADE BY TERRY CURTIS AND SECONDED BY DEAN SWANSON TO APPROVE CONTRACTING WITH DONNA KEIFFER TO PROVIDE AEROBIC INSTRUCTION FROM MARCH 14TH TO APRIL 28TH AT A COST OF \$396.72. MOTION CARRIED WITH ALL AYES. The ice rink has been closed for the season due to the weather and the death of Chuck McMahon, who was a three year employee of the Park and Recreation Department serving as ice rink attendant. Director Henke expressed his sincere sympathy to the family on their loss. A donation from the Crosby Basketball Boosters in the amount of \$150 for use of the gym during the Teacher's Strike was recommended for approval. MOTION 03R-13-05 WAS MADE BY DEAN SWANSON AND

SECONDED BY JAY ANDOLSHEK TO ACCEPT WITH APPRECIATION THE DONATION OF \$150 FROM THE CROSBY BASKETBALL BOOSTERS. MOTION CARRIED WITH ALL AYES.

AAA will hold a senior driving class on Thursday, April 14th from 9:00 A.M. – 1:00 P.M. and interested community members should contact the Community Center for AAA's telephone number. Yoga is offered two days a week on Monday evenings at 5:15 P.M. and on Wednesday mornings at 10:00 A.M. The Community Center offers adult volleyball every Wednesday night from 6:30 – 8:45. A new session starts on March 16th and runs until May 18th. Cost for the ten-week session is \$15.00. The AARP Tax Help program has started and will run through April 13th. Appointments can be made by calling the Community Center. Crosslake Communications has joined forces with the Park and Recreation Department, Police Department, Fire Department, Sheriff's Department, DNR, North Ambulance, Whitefish Area Lions, Crosslake/Ideal Lions, WAPOA and SADD to bring a Safety Fair to Crosslake. The Safety Fair will be held on Saturday, April 23rd at the Community Center from 9:00 – 1:00 P.M. and everyone is invited to attend this event. A joint meeting of the Park and Recreation Commission and Library Committee was held on February 28th where various proposals to add onto the Community Center were discussed to house a Library. Two alternates were provided to the Council for review and a separate meeting will be held when Councilmembers Eggena and Phillips return. The minutes of the Joint Meeting of February 28, 2005 were included for Council information.

3. LIBRARY – Chair Alden Hardwick addressed the Council and concurred with Park & Recreation Director Henke that the joint meeting resulted in good ideas that were put on paper for review by the Council. Hardwick stated that the Committee needs to research the local costs of construction to get an idea of what the building costs will be. An email received from Representative Howes stated that the House recently passed House File 3, the bill appropriating capital investment dollars. A similar bill is pending in the Senate. Hardwick requested Council approval to apply for more grants for the Library. He stated that each request would be brought before the Council for approval. Mayor Andolshek stated that the Council wouldn't stand in the way of the Committee's request for grant funds but would want to be advised of the Committee's requests. Councilmember Swanson agreed with the request to pursue grant funds but did not feel that the Committee should use Council members for drawings or estimates for determining local costs of construction. Councilmember Swanson also stated that the Committee needs to know what the operating costs will be and where the Park and Recreation Department is going to get their funds if they are sharing in a portion of the cost of construction. Hardwick stated that the Committee will put together an operating budget based on the operating expenses incurred at the Community Center. Alden Hardwick stated that the Committee would like to request additional volunteers who could assist with the cataloging of books, working on plans and etc. Councilmember Curtis asked if it was the intention of Councilmember Swanson to utilize a firm such as WSN or

George Riches who would bill the City to compile costs of construction. Councilmember Swanson stated that he would only prefer someone other than a Councilmember when we get down to the final plans. Alden Hardwick stated that he and Jon Henke have worked with George Riches to review options and Riches did take a copy of the plans. Councilmember Curtis stated that free was the name of the game. Park and Recreation Director Henke requested Council approval to contact St. Joseph's Medical Center regarding establishment of a partnership with them to expand the weight room for therapy sessions. It was the consensus of the Council that Henke work with St. Joseph's Medical Center on a joint effort.

4. **CROSSLAKE COMMUNICATIONS** – Network Engineer Paul Davis presented the Highlights Report for February in the absence of General Manager Dennis Leaser who was attending an Industry Meeting. On March 10th, a pre-bid meeting was held and on March 17th, the bid opening will take place. A special Council meeting was requested for March 28th to award the bid and to review the 2004 Audit and the 2005 Budget. Mayor Andolshek stated that he would not be available on March 28th and that two other Councilmembers are out of town during March so the meeting will need to be rescheduled to a later date. The Digital TV report was included for Council information.

5. **PUBLIC WORKS/CEMETERY/SEWER**

- a. It was noted that Ted Strand and City Engineer Dave Reese were unavailable due to illness so City Engineer Mark Hallan presented an update on the Treatment Plant. Hallan stated that the plant is processing 11,000 to 12,000 gallons per day. There was a seal failure on the North clarifier which caused a pumping problem and the repair is being handled as a warranty issue.
- b. A letter dated March 11th from City Engineer Dave Reese reviewed the work remaining under contract for the 2004 Improvement Projects. Retainage is being held by the City to complete ditch cleanup and finish areas where turf has not been established. The ditch problems on East Shore Boulevard and Daggett Pine Road, in the area of the Presbyterian Church, has been discussed with City Staff. Several options have been looked at by WSN and a brief discussion was held with the Council regarding the alternatives of adding storm sewer to these areas. The location of utilities is a consideration. City Engineer Reese and City Administrator Swenson met with the Presbyterian Church Building Committee and all parties are in agreement that they need to work together to resolve the problems. The church parking lot consists of Class 5 material which washed into the ditch last fall sealing the bottom of the ditch preventing water from flowing through. The ditch overflowed this spring during a thaw causing water to run across the road. A drainage easement may be required from the Presbyterian Church. There will be some survey and engineering work required to correct the problem. Councilmember Swanson asked if a dollar amount was available for this work and it was noted that WSN would provide the City with the cost to correct the problem. MOTION 3R1-14-05

WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO AUTHORIZE WSN TO DO THE ENGINEERING ON DAGGETT PINE ROAD FOR THIS PROJECT AND TO WORK WITH THE PRESBYTERIAN CHURCH TO SOLVE THE PROBLEM. It was noted that a grading plan to divert the water is needed and a preliminary design will be drawn up including which drainage easements are required. City Engineer Hallan stated that WSN will use a topographic survey that they have to come up with the design. MOTION WAS AMENDED TO INCLUDE A NOT TO EXCEED AMOUNT OF \$2500 FOR THIS WORK. MOTION CARRIED WITH ALL AYES.

- c. WSN provided the City with drawings of that section of Pioneer Drive which has not yet been completed by the developer. Comments by the Council on the proposed plan was requested since it will be turned over to the City upon completion. MOTION 03R-15-05 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE CITY ADMINISTRATOR SIGNING THE PIONEER DRIVE IMPROVEMENT DRAWINGS SHOWING THAT THE CITY COUNCIL IS IN AGREEMENT WITH THE PLANS FOR PIONEER DRIVE. Councilmember Curtis stated that he looks at these drawings as an information item for the Council. Mayor Andolshek stated that the developer is asking to hear from the Council now rather than later. City Engineer Hallan stated that this is all a part of the downtown plan that was approved by a previous City Council. MOTION CARRIED WITH ALL AYES.
- d. A letter dated February 22nd from City Engineer Dave Reese to Crow Wing County Highway Engineer Duane Blanck contained two design concepts (Concept A and Concept B) for the intersection of Greer Lake Road and West Adney Lane. Fairfield Township has been petitioned by residents to complete West Adney Lane improvements in conjunction with the Greer Lake Road project. Fairfield Township will be considering the intersection layouts and acquisition of easements at a meeting scheduled for March 1, 2005.
- e. An email from City Engineer Dave Reese to County Highway Engineer Duane Blanck provided an update on the Fairfield/Crosslake Greer Lake Road Improvement Project. WSN attended the Fairfield Township Board Meeting on March 1st and reviewed the Findings of Fact and request for consideration of waiver from the State Aid standards. Also reviewed with Crosslake City Staff and the Fairfield Town Board was the intersection alternatives for West Adney Lane and Greer Lake Road. Comments received were in favor of Concept A and input from the Highway Department was requested. This information was provided for Council information.
- f. A letter dated February 15th to the four municipalities bordering Fawn Lake Road provided an update on Fawn Lake Road. The County Board has indicated that they are willing to take over Fawn Lake Road but that the reconstruction be to 9 ton capacity since the road connects to County State

Aid Highways which are 9 ton roads. The construction cost is estimated at \$475,042 including the second layer of bituminous to bring it to a 9 ton road. This second layer would cost approximately \$100,514 and would be considered for possible County participation. A meeting with the four municipalities to discuss the matter further will be held in March prior to the March 22nd County Board meeting. City Administrator Swenson informed the Council that Councilmember Dean Swanson and Public Works Director Ted Strand did attend the meeting as representatives from Crosslake. All municipalities in attendance were in agreement to go forward however there were some cost considerations that need to be addressed. City Administrator Swenson will look at assessments for the Crosslake portion of the road. Councilmember Curtis asked what there would be to assess. City Administrator Swenson stated that if the City's portion of the cost is \$105,000, the City could look at some sort of assessment to the property owners.

- g. A letter dated February 18, 2005 from City Attorney Paul Sandelin dealing with private land owner liability was in response to a question raised at the February Council meeting regarding the issue of whether a private property owner who owns property abutting to a public right-of-way which is used for purposes of sidewalk, trail, road or other is potentially liable for injuries occurring in or on that right-of-way. Sandelin stated that Minnesota case law indicates that abutting private property owners are not liable, unless injury is caused at least partially by conditions they have created. This interpretation was provided for Council information.
- h. A letter dated March 3, 2005 from Herschel Blasing of the MPCA informed Ted Strand that the MPCA has reviewed the Biosolids Annual Report for cropping year September 1, 2003 through August 31, 2004 and was complete and well done as received.
- i. A letter dated March 9, 2005 from City Attorney Paul Sandelin informed the Council that the Minnesota Court of Appeals has scheduled the oral argument on the Golden Rule Appeal for April 6th at 10:05 A.M. at the Crow Wing County Courthouse. This information was provided for Council information.
- j. Councilmember Curtis inquired whether City Administrator Swenson or Public Works Director Strand need to coordinate the improvement to County Roads 3 & 66 with the Chamber and the County. It was agreed that Ruth Ann Hanson of the Chamber should be the contact for work done by the County in regards to road closings and schedules that would affect the merchants.

A break in the Regular Meeting to conduct a public hearing on a possible moratorium on the establishment of Pawn Brokers/Pawn Shops, Tattoo Shops, Body Piercing Parlors, Currency Exchange Businesses and Second Hand Stores took place at this time.

The Public Hearing was called to order at 8:25 P.M. A sign in sheet was distributed to those in attendance for the hearing. Community Development Director Ken Anderson

stated that the public hearing notice was published in the City's Official Newspaper, the Lake Country Echo. Anderson stated that a review of the City Code discovered that there is no reference made to these types of businesses and the Council directed Anderson to schedule a public hearing for this date to establish a moratorium on applications for pawn brokers/pawn shops. Anderson stated that other communities regulate these types of businesses differently in that some cities issue licenses and others limit the location as to where these businesses can operate. Imposing a moratorium would allow time for Planning and Zoning and Police Department Staff to review where these businesses can be located in the community. The hearing was opened to the public for comments. Morrie Mikkelson addressed the Council and asked that Staff and Council carefully differentiate between second hand stores and antique stores when working on the Ordinance Amendment since the intent is not to discourage legitimate businesses. Councilmember Curtis stated that his comments would be similar to Mr. Mikkelson's in that we don't want to confuse antique stores with pawn shops. Anderson stated that second hand stores are of a broad nature and when the Region 5 Police Chief's met with a former Minneapolis Police Officer who works with pawn shops, tattoo shops and etc., it was his suggestion that the city be all inclusive. The Officer stated that city's would want to look at second hand stores that are problematic. Councilmember Curtis stated that work needs to take place to get an Ordinance Amendment in place.

There being no further comments, MOTION PH03-01-05 WAS MADE BY DEAN SWANSON AND SECONED BY TERRY CURTIS TO ADJOURN THIS PUBLIC HEARING AT 8:37 P.M. MOTION CARRIED WITH ALL AYES.

At 8:37 P.M., the regular meeting resumed and MOTION 03R-16-05 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO ADOPT ORDINANCE AMENDMENT NO. 205, THIRD SERIES A MORATORIUM ON ESTABLISHMENT OF PAWN BROKERS/PAWN SHOPS, TATTOO SHOPS, BODY PIERCING PARLORS, CURRENCY EXCHANGE BUSINESSES, AND SECOND HAND STORES AND TO PUBLISH A SUMMARY OF SAID ORDINANCE AMENDMENT AND TO DIRECT THE POLICE DEPARTMENT AND COMMUNITY DEVELOPMENT DIRECTOR TO STUDY AND DRAFT AMENDMENTS CONSISTENT WITH CITY POLICIES RELATED TO THIS ISSUE. MOTION CARRIED WITH ALL AYES.

6. PERSONNEL COMMITTEE – Nothing
7. ECONOMIC DEVELOPMENT AUTHORITY – The minutes of the December 15, 2004 meeting were included for Council information.
8. RECYCLING – A total of 11.98 tons of recyclables were collected in February bringing the year-to-date amount collected to 21.53 tons.
9. PLANNING AND ZONING –

- a. The minutes of the Planning and Zoning Commission/Board of Adjustment Regular Meeting and Public Hearing of January 28, 2005 was included for Council information.
- b. The Permit Summary for February 2005 was included for Council information along with the Crow Wing County report showing the number of permits issued within the County.
- c. A letter dated February 14, 2005 from MPCA to Dean Eggena of Crosslake Demolition regarding a letter of warning was included for Council information.
- d. A document dated March 9, 2005 from Daniel Vleck of the MPCA outlined several alternatives for odor control for the Crosslake Demolition Landfill in response to complaints received by them. The City has received complaints regarding the odor at the site as well. There was some discussion regarding how sheetrock breaks down when not equally dispersed in the landfill. An accumulation in one spot would produce hydrogen sulfide which is the odor being emitted from the landfill. A check of other landfills in the area resulted in a different means for handling sheetrock thus eliminating this problem. Suggestions to correct the situation were included in the document from Mr. Vleck. It was noted that in the near future there will be a public comment period regarding re-permitting of the facility. Councilmember Swanson stated that there is a request pending for renewal of the operating permit. Councilmember Curtis stated that the MPCA will handle the re-permitting. Community Development Director Anderson stated that during the next cycle of permitting, the City does have some jurisdiction over the conditions of the Conditional Use Permit which was issued to the property owner. Mayor Andolshek stated that he has forwarded a letter to the City Attorney asking him to research the City's Ordinances and permits as they pertain to the landfill. A response has not been received back as of this date.
- e. A memo dated March 10th from Community Development Director Ken Anderson requested that the Council schedule a public hearing for Monday, April 11th at 6:30 P.M. to consider a petition for a partial road vacation of Tall Timbers Trail submitted by Jon Hinze. Mr. Hinze owns two lots along Tall Timbers Trail and adjacent to one of the lots there is a turn-around which is no longer used since the road has been extended to Backdahl Road. The vacation request consists of 34 feet of property adjacent to the roadway. Anderson also requested that the Council direct the City Surveyor/Engineer to prepare the necessary legal description for the proposed road vacation; direct staff to publish and mail the required fourteen day public notice as required; direct staff and/or the City Attorney to draft the Resolution to vacate the subject property; direct Staff and/or the City Engineer to review the site conditions and recommend a process for making the requested site improvements; and proceeding with the above actions is conditioned upon the petitioner reimbursing the City for all costs incurred in addition to the application fee. All parcels within 350' of the applicant's property will be notified of the request in addition to all property owners within the plat. City Administrator Swenson asked if the property owner does not reimburse

the City for all expenses incurred what action would the City take and Anderson responded that the vacation documents would not be recorded and the property would remain as public property. Councilmember Curtis asked if the process works like it should, why did this property remain as public property when the road was extended through. Curtis felt it should have been vacated at that time. MOTION 03R-17-05 WAS MADE BY TERRY CURTIS AND SECONDED BY DEAN SWANSON TO APPROVE THE STAFF REQUESTS AS PRESENTED AND TO SCHEDULE A PUBLIC HEARING FOR 6:30 P.M. ON APRIL 11, 2005. MOTION CARRIED WITH ALL AYES. Clerk Roach suggested that a letter be sent to the applicant informing him that all costs incurred need to be reimbursed to the City.

- f. Councilmember Curtis requested that the Council authorize the establishment of a committee to study planned unit developments. Currently there is a moratorium on lakeshore PUD's which was established and then extended. No meetings have been held to date to review this moratorium and we are approaching one year of doing nothing. Based on this it was Councilmember Curtis's request that someone from WAPOA, a waterfront business owner and the Chamber become involved to get the ball rolling. There was some discussion as to where the PUD issue commenced and it was determined that the Long Range Planning Commission initiated the process and Councilmember Curtis thought a couple of members that were on that Commission could participate as well. Councilmember Swanson stated that he attended a meeting where PUD's were discussed in detail. Based on this meeting, he felt that the issue needs to go back to the Planning and Zoning Commission. He did agree that work on the Ordinance needs to take place. Councilmember Curtis stated that the Long Range Planning Commission has only been suspended. Curtis stated that a public hearing needs to be held with a good representation of people in attendance. Curtis also stated that the County chose not to go through the Planning and Zoning Commission for their review of PUD's. Community Development Director Anderson stated that the issue is a complicated one and his department will work with whomever the Council thinks is appropriate. Mayor Andolshek felt it should be referred to the Planning and Zoning Commission. MOTION 03R-18-05 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO HAVE THE COMMUNITY DEVELOPMENT DIRECTOR WORK WITH THE PLANNING AND ZONING COMMISSION TO LOOK AT PUD CONDITIONS. MOTION CARRIED WITH ALL AYES.

H. OLD BUSINESS – None

I. NEW BUSINESS – None

J. PUBLIC FORUM – None

K. ADJOURN – MOTION 03R-19-05 WAS MADE BY DEAN SWANSON AND
SECONDED BY JAY ANDOLSHEK TO ADJOURN THIS REGULAR MEETING AT
9:20 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

A handwritten signature in cursive script that reads "Darlene J. Roach". The signature is written in black ink and is positioned above the printed name and title.

Darlene J. Roach
Clerk/Treasurer

Shared/REG COUNCIL MTG – March 14, 2005.doc

BILLS FOR APPROVAL

14-Mar-05

VENDORS	DEPT	AMOUNT
Ace Hardware, lite, rope, battery, pulley, snaps, links	PW	128.22
Ace Hardware, cleanser	P&R	12.75
Ace Hardware, blades	PW	38.11
Ace Hardware, screws, bolts, latch, joist	PW	56.80
AmeriChem, snow plow silicone	PW	331.75
AW Reasearch, water test	Sewer	114.00
AW Reasearch, water test	Sewer	114.00
AW Reasearch, water test	Sewer	114.00
AW Reasearch, water test	Sewer	114.00
AW Reasearch, water test	Sewer	114.00
Blue Lakes Disposal, trash removal	ALL	213.53
Bobby Willard, reimburse for cassettes	Police	53.24
Brandanger Office Supply, notary stamp	Admin	30.47
Business Forms and Accounting, checks	Admin	156.11
California Contractors, flashlights, chisels	PW	219.20
Cellular One, cell phone charges	PW	30.70
Cellular One, cell phone charges	Police	289.16
Chief Supply, uniform	Fire	144.95
City of Crosslake, sewer utilities	PW/Govt	90.00
Council #65, union dues	ALL	273.35
County Recorder, filing fees	P&Z	39.00
Crosslake Communications, phone, fax, cable, dsl	ALL	1,319.66
Crosslake Fire Relief Assn, fdra city contribution	Fire	12,889.58
Crosslake Polaris, lever	PW	1.98
Crosslake Rolloff, recycling	Gov't	2,450.00
Crow Wing Auto Body, repair power lock switch	Police	204.26
Crow Wing Power, electric service	ALL	6,680.26
Culligan, water and cooler rental	PW/Admin	46.27
Darlene Roach, reimburse petty cash	ALL	71.02
Dean Swanson, reimburse travel expense	Gov't	32.40
Deferred Comp	ALL	491.66
Delta Dental, dental insurance	ALL	1,086.45
Echo Publishing, assessment notice	Gov't	38.70
Echo Publishing, ordinance 2005-001	P&Z	19.35
Fastenal, bolts, sleeves	PW	35.71
Fortis, disability	ALL	236.42
Fyle's Jet Flush Pipe Cleaning, thaw frozen circulation line	Sewer	120.00
Hawkins Water Treatment, aluminum sulfate	Sewer	181.51
Holiday Station, wiper blades	Police	16.80
Ken Anderson, reimburse mileage	P&Z	24.70
Kirvida Fire, air compressor pump	Fire	1,032.00
League of MN Ins Trust, workers comp premium	ALL	31,018.00
Little Falls Machine, plow blades	PW	2,153.05
Martin Communications, radio repair	Fire	121.67
Mastercard, Initiative Foundation, sharing shores conference	Gov't	75.00

Mastercard, Whitefish Automotive, replace wiper motor, oil chg	P&Z	265.46
Mastercard, meals while traveling	Admin	25.52
Medica, health insurance	ALL	10,929.62
Menards, batteries, markers, cable, valves, iron contractor	PW	102.87
Menards, insulation, chain drive, chain extension	PW	615.38
Metro Fire, valve assembly	Fire	101.90
Mills Motors, repair door lock switch	Police	33.00
Minneapolis Community College, continuing education	Police	200.00
MN Benefits	Admin	100.92
MN Department of Health, food/beverage license	P&R	185.00
MN Fire Service Certification Board, firefighter 2	Fire	110.00
MN Life, life insurance	ALL	255.60
MN Telecom Alliance, safety program dues	Gov't	1,390.00
Molly's Cleaning Service, february cleaning	Gov't	745.50
MR Sign, caution signs	PW	284.84
NCPERS-Life Insurance	ALL	128.00
North Ambulance, subsidy	Ambulance	1,103.00
Northern Safety Technology, bracket	Fire	29.97
Northland Fire Protection, extinguisher maintenance	ALL	985.46
Northwood Turf and Power, filters, blade	PW	130.29
Pequot Auto Parts, starter	PW	206.76
Pequot Auto Parts, light, switch	PW	23.07
Pequot Auto Parts, battery	Fire	93.67
PERA	ALL	N/A
Post Office, annual permit fee	Admin	150.00
Quill, wipes, expanding files, legal pads, steno books	ALL	40.31
Reed's Market, coffee	P&R	6.99
Reed's Market, sentence to serve	PW	79.10
Reed's Market, sentence to serve	PW	73.18
Reed's Market, sentence to serve	PW	76.55
Sandelin Law Office, legal fees	ALL	6,988.54
Simonson Lumber, 2x12 and 2x4	PW	234.66
Simonson Lumber, power bit, screws, joist	PW	28.38
Simonson Lumber, blue tape	Fire	19.66
Simonson Lumber, 2x12	PW	144.99
Simonson Lumber, nails, 2x10	PW	72.58
Simonson Lumber, post, beam cap, 4x8	PW	157.69
State and Federal Taxes	ALL	N/A
Streicher's, uniform	Police	317.19
Streicher's, uniform	Police	329.51
Streicher's, uniform	Police	215.02
Thelen Heating and Roofing, serviced water heater	PW	238.00
Tom Huesmann, shear pins for snowblower	PW	200.00
Tom Swenson, vehicle allowance	Admin	400.00
Unicel, cell phone charges	ALL	984.88
UPS, postage	Police	49.32
US Bank, administration fees 2001 bonds	Gov't	402.50
US Bank, administration fees 2002 bonds	Gov't	373.75
US Bank, administration fees 2003 bonds	Gov't	402.50
US Bank, administration fees disposal system bonds	Gov't	402.50
Viking Coca Cola, pop	Gov't	37.28

Viking Coca Cola, pop	PW	84.56
Viking Coca Cola, pop	Gov't	37.28
Viking Industrial North, ear plugs, gloves, safety glasses	PW	200.12
Viking Industrial North, reflective cones	PW	398.74
Volunteer FF Benefit Assn., annual renewal	Fire	142.00
Widseth Smith Nolting, engineering fees	ALL	3,780.50
Xcel Energy, gas utilities	ALL	2,215.08
Ziegler Inc., filters, bulb	PW	71.45
Ziegler Inc., coupling	PW	199.35
TOTAL		100,623.78

ADDITIONAL BILLS FOR APPROVAL

14-Mar-05

VENDOR	DEPT	AMOUNT
Ace Hardware, spray paint	Police	5.85
Ace Hardware, slip cap, pipe, tarp	PW	53.63
Ace Hardware, screws	PW	8.52
Ace Hardware, keys	Police	11.15
Ameripride, mats	PW	103.54
Darlene Roach, reimburse petty cash	ALL	43.47
Echo Publishing, public hearing 3-25	P&Z	64.50
Ehlers & Associates, reeds tif district research	Gov't	600.00
Fastenal, lumber	PW	106.85
Fastenal, bins	PW	572.45
Frontline Plus Fire & Rescue, boots	Fire	118.00
Holiday Station, propane	PW	79.83
Mastercard, meals while travelling	PW	45.96
Mastercard, Radisson, lodgin for class	PW	337.42
Public Safety Center, suspenders, safety glasses, light	Fire	168.05
Quill, paper, pen, paper clips, ink, note pads	Admin/P&Z	187.18
Simonson Lumber, 4x8	PW	37.89
Ted Strand, reimburse mileage	PW	80.19
University of MN, gravel road maintenance class	PW	70.00
University of MN, maintenance training expo	PW	70.00
Ziegler Cat, preventative maintenance service	PW	333.83
Ziegler Cat, cutting edges	PW	533.31
Ziegler Cat, freight	PW	59.18
TOTAL		3,690.80

**CITY OF CROSSLAKE
RESOLUTION NO. 05-03**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
PERA POLICE AND FIRE PLAN**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

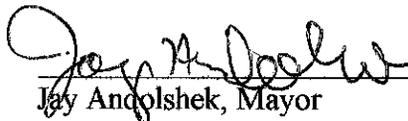
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA hereby declares that the position titles Part-Time Police Officer, currently held by Anthony Runde meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.



Thomas N. Swenson, City Administrator



Jay Andolshek, Mayor

STATE OF MINNESOTA
COUNTY OF CROW WING

I, Darlene J. Roach, Clerk of the City of Crosslake, Minnesota, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 14th day of March, 2005; the original of which is on file in this office. I further certify that three members voted in favor of this resolution and that three members were present and voting.

Signed:



Date:

3-14-05

**CITY OF CROSSLAKE
RESOLUTION NO. 05-04**

**RESOLUTION OF GOVERNING BODY
EXTRACT OF MINUTES**

LESSEE: CITY OF CROSSLAKE

At a duly called meeting of the governing body of Lessee (as defined in the Agreement) held on the 14th day of March, 2005, the following resolution was introduced and adopted.

RESOLVED, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described in the Lease-Purchase Agreement presented to this meeting; and has further determined that the Equipment will be used solely for essential governmental functions and not for private business use.

WHEREAS, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

BE IT RESOLVED, by the governing body of Lessee that the terms of said Lease-Purchase Agreement are in the best interest of Lessee for the acquisition of such equipment, and the governing body of Lessee designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, **Leasing 2, Inc.** Lease-Purchase Agreement and any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement.



Thomas N. Swenson, City Administrator

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Lease-Purchase Agreement is the same as presented at said meeting of the governing body of Lessee.



Darlene J. Roach, Clerk/Treasurer

3-18-05
Date



Jay Andolshek, Mayor

3-18-05
Date

(Seal)

